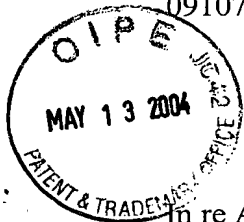


83
ATTORNEY DOCKET NUMBER
091078.0554

5-14-04
PATENT APPLICATION
USSN 09/074,496



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James R. Albritton
Serial No.: 09/074,496
Filed: May 7, 1998
Group No.: 3679
Examiner: John R. Cottingham
Title: BREAKAWAY SUPPORT POST FOR HIGHWAY
GUARDRAIL END TREATMENTS

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

EXPRESS MAIL

Express Mailing Label Number EV 324640854 US
Date of Deposit: May 13, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Jiles

Willie Jiles

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action mailed on December 19, 2003 finally rejecting Claims 37 and 40 and the Advisory Action mailed on April 22, 2004.

This application is filed on behalf of a large entity.

Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks" in an amount of \$330.00 to satisfy the Notice of Appeal fee under 37 C.F.R. § 1.17(b).

An extension of two (2) months is respectfully requested and a Notification of Extension of Time under § 1.136 with the appropriate fee is attached hereto.

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PATENT APPLICATION
USSN 09/074,496

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicant

A handwritten signature in black ink, appearing to read "Chad C. Walters", with a stylized flourish at the end.

Chad C. Walters
Reg. No. 48,022

Date: May 13, 2004

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